

**DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS**

DISTRICT OFFICE: Los Angeles District

FILE NUMBER: 200400732-JPL

REGULATORY PROJECT MANAGER: Jason P. Lambert **Date:** August 24, 2006

PROJECT REVIEW/DETERMINATION COMPLETED: **In the office (Y/N)** Y **Date:** August 24, 2006
At the project site (Y/N) Y **Date:** January 30, 2006

PROJECT LOCATION INFORMATION:

State: California

County: Riverside

Center coordinates of site by latitude& longitude: Lat: 33-44-12.74 Long: -117-11-22.57

Approximate size of site/property (including uplands & in acres): ~ 5000 acres

Name of waterway or watershed: San Jacinto

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash		X							
Mudflat									
Sandflat									
Wetlands	X								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									
¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.									

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?			X		
¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.					

TYPE OF DETERMINATION: Preliminary _____ Or Approved X

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rational used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on water of the U.S. occurring onsite): The topography of the large Homeland-Romoland area is very flat, and is often subject to flooding due to the topographical conditions. Drainages containing exhibited ordinary high water marks existed on the project site, but often were intermittent and eventually were lost completely. The greatest area which exhibited signs of flow was the Juniper Flats region, which contains steeper terrain than the lower Homeland-Romoland region. Signs of flow were finally lost as flow dispersed into a agricultural field after passing under the 215 freeway near Ethanac Road.